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Tempe City Council  
June 1, 2006

Harry E. Mitchell Government Center  
Tempe City Hall - City Council Chambers  
31 East Fifth Street  
7:30 p.m.

1. INVOCATION - Vice Mayor Mitchell
2. PLEDGE OF ALLEGIANCE
3. MINUTES - Councilmember Copple
  - A. Approval of Council Meeting Minutes
  - B. Acceptance of Board & Commission Meeting Minutes
    1. Aviation Commission – April 13, 2006 [20060601tavco01.pdf](#)
    2. Double Butte Cemetery Advisory Committee – September 21, 2006 [20060601prmr01.pdf](#)
    3. Hearing Officer – May 2, 2006 [20060601ho01.pdf](#)
    4. Mayor's Youth Advisory Commission – April 18, 2006 [20060601myac01.pdf](#)
4. REPORTS AND ANNOUNCEMENTS
  - A. Mayor's Announcements
    - Student Traffic Signs: Cody Gonzales – “Give Kids a Brake”
  - B. Manager's Announcements
5. AGENDA

All items listed on the agenda will be considered as a group and will be enacted with one motion by the City Council unless an item is removed for separate consideration. Members of the public may remove public hearing items for separate consideration. Public hearing items are designated by an asterisk (\*). Councilmembers may remove any item for separate consideration.

Agenda items scheduled for Introduction/First Public Hearing will be heard, but will not be voted upon at this meeting. Items scheduled for Second Public Hearing/Final Adoption will be voted upon tonight.

**q-j** indicates quasi-judicial items. The City Council sits as a quasi-judicial body when hearing variances. In this situation, the City Council must conduct itself as a court, not as a legislative body. Pre-meeting contact with the City Council on quasi-judicial matters is prohibited. Any materials or conversations concerning the item shall only be presented to the City Council at the scheduled public hearing.

A. Miscellaneous Items

5. Request approval of the Report of Claims Paid to be Filed for Audit for the week of May 6, 2006.

**COMMENTS:** A copy of the detailed claims report may be obtained by contacting the City Clerk's Office.

6. Request approval to renew public defender contracts for a one-year period.

**COMMENTS:** For representation of indigent defendants in the Tempe Municipal Court.

**DOCUMENT NAME:** [20060601ctfv01.pdf](#) COURT ADMINISTRATION (0501-02)

- \*7. This is a public hearing to recommend the approval of a Series 10 Beer and Wine Store Liquor License for Shree Rang LLC dba AM/PM, 980 W. University Drive.

**COMMENTS:** Rajeshkumar R. Patel, Agent

**DOCUMENT NAME:** [20060601LIQ1.pdf](#) LIQ LIC (0210-02)

- \*8. This is a public hearing to recommend the approval of a Series 6 Bar Liquor License for Hit the Bricks LLC dba The Library Bar and Grill, 501 S. Mill Avenue, #101.

**COMMENTS:** Amy Nations, Agent

**DOCUMENT NAME:** [20060601LIQ2.pdf](#) LIQ LIC (0210-02)

- \*9. This is a public hearing to recommend the approval of a Series 7 Beer and Wine Bar Liquor License for Gierczak Carey LLC, dba Chick's Pizza and Pub, 1420 N. Scottsdale Road.

**COMMENTS:** Randy M. Gierczak, Agent

**DOCUMENT NAME:** [20060601LIQ3.pdf](#) LIQ LIC (0210-02)

B. Award of Bids/Contracts

10. Request to award a one-year contract with two (2) one-year renewal options to Crafc0, Inc., for rubberized crack sealing asphalt.

**COMMENTS:** Subject to execution of the final written contract. Total cost for this contract shall not exceed \$125,000 during the initial contract period.

**DOCUMENT NAME:** [20060601fslg01.pdf](#) PURCHASES (1004-01) IFB #06-165

11. Request to award a one-year contract with four (4) one-year renewal options to AlphaCorp, Inc., for City Council meeting agenda preparation software and training.

**COMMENTS:** Subject to execution of the final written contract. Total cost for this contract shall not exceed \$90,000 during the initial contract period.

**DOCUMENT NAME:** [20060601fsdl03.pdf](#) PURCHASES (1004-01) RFP #06-123

12. Request approval of a one-year contract renewal with Stantec Consulting, Inc., and Willdan for plan review, building inspection, and planning services.

**COMMENTS:** Total amount shall not exceed \$283,631.

**DOCUMENT NAME:** [20060601fslg02.pdf](#) **PURCHASES (1004-01) T05-135-01**

13. Request approval of a one-year contract renewal with Aquatic Environmental Systems, Inc., for the purchase of calcium hypochlorite to be used in city swimming pools.

**COMMENTS:** Total amount not to exceed \$50,000.

**DOCUMENT NAME:** [20060601fsdl04.pdf](#) **PURCHASES (1004-01) T05-121-01**

C. Ordinances and Items for Introduction/First Hearing - These items will have two public hearings before final Council action.

- \*14. This is the **introduction and first public hearing** for an ordinance amending Chapter 16 of the Tempe City Code relating to License, Privilege and Excise Taxes by amending Section 16-445; amending Regulations 16-300.1 and 16-445.1; and establishing an effective date. **The second public hearing is set for June 15, 2006.**

**DOCUMENT NAME:** [20060601cacc04.pdf](#) **TCC CH 16 – LICENSES, TAXATION & MISC BUS REGS, ETC. (0503-16) ORDINANCE NO. 2006.44**

- \*15. This is the **introduction and first public hearing** for an ordinance authorizing the Mayor to enter into an access and driveway easement agreement between the City of Tempe and SunCor Development Co. **The second hearing is set for June 15, 2006.**

**DOCUMENT NAME:** [20060601cdnr01.pdf](#) **EASEMENTS (0904-02) ORDINANCE NO. 2006.50**

D. Ordinances and Items for Second Hearing/Final Adoption

- \*16. This is the **second public hearing** for an ordinance amending Chapter 2 of the Tempe City Code (Administration) by adding new Section 2-33 relating to the establishment of warrant fees.

**DOCUMENT NAME:** [20060601cacc02.pdf](#) **TCC CH 2 – CITY CODE ADMINISTRATION (0503-02) ORDINANCE NO. 2006.46**

- \*17. This is the **second public hearing** for an ordinance amending Chapter 2 of the Tempe City Code (Administration) by adding new Section 2-32 relating to the establishment of a prosecution fee.

**DOCUMENT NAME:** [20060601cacc01.pdf](#) **TCC CH 2 – CITY CODE**

**ADMINISTRATION (0503-02) ORDINANCE NO. 2006.45**

- \*18. This is the **second public hearing** for an ordinance authorizing the disposition and sale of City-owned property at 8150 South Jentilly in Tempe.

**DOCUMENT NAME:** [20060601cacc03.pdf](#) **REAL PROPERTY DISPOSITION (0902-21-01) ORDINANCE NO. 2006.47**

- \*19. This is the **second public hearing** of an ordinance authorizing the Mayor to execute a development disposition agreement and lease of public land between the City of Tempe and STH Enterprises, LLC.

**DOCUMENT NAME:** [20060601cdnr02.pdf](#) **REAL PROPERTY DISPOSITION (0902-21-01) ORDINANCE NO. 2006.36**

- \*20. This is the **second public hearing** for an ordinance amending the Development Code for the Transportation Overlay District to amend the definition of station area boundaries to conform to the previously adopted overlay district map.

**COMMENTS:** (CC060035 / RRC06012) (City of Tempe, applicant) **ORDINANCE NO. 2006.35 ZOA-2006.05** to amend the definition of station area boundaries to conform to the previously adopted overlay district map. Properties are within a Station Area if any portion of the parcel or development is adjacent to a public right-of-way located within 800 linear feet of a light rail station platform, measured along the center of any public right-of-way and including only properties adjacent to the public right-of-way.

**DOCUMENT NAME:** [20060601dsdk01.pdf](#) **TRANSPORTATION PLANNING (1101-01)**

- \*21. This is the **second public hearing** for an ordinance authorizing a Zoning Map Amendment for TEMPE CASCADE from Mobile Home Residence to R-4, Multi-Family Residential General, at 2340 East University Drive.

**COMMENTS:** (Interstate Ventures V Limited Partnership, property owner / Charles Huellmantel, applicant) (CC060028) **ZON-2006.02 ORDINANCE NO. 2006.29** for a Zoning Map Amendment for 34.64 net acres from the RMH, Mobile Home Residence to R-4, Multi-Family Residential General, for the property located at 2340 East University Drive.

**DOCUMENT NAME:** [20060601dswk07.pdf](#) **PLANNED DEVELOPMENT (0406)**

- \*21a. Request approval of the **continuance of the second public hearing from June 1, 2006, to June 15, 2006**, for an ordinance authorizing a General Plan 2030 Projected Land Use Map Amendment, a Projected Density Map Amendment, and a Zoning Map Amendment for ALEXAN METROPOINTE in the Southwest Overlay District at 7001 South Priest Drive.

**COMMENTS:** (Roberta Barrett, 7001 South Priest Drive Associates, L.L.C., property

owner and Stephen Earl, Earl, Curley, & Lagarde, applicant) (CC050089 / CC050090) for a proposed amendment to General Plan 2030 including a General Plan 2030 Projected Land Use Map Amendment, a Density Map Amendment, and a Zoning Map Amendment for 19.99 gross acres (19.14 net acres. The project includes the following:  
**Resolution No. 2005.65 GEP-2005.06** for a General Plan 2030 Projected Land Use Map Amendment for 19.99 gross acres from Industrial to Residential, and a Density Map Amendment from No Density (zero dwelling units per acre) to Medium to High Density (up to 25 dwelling units per acre) with an actual density of 20 dwelling units per acre.

**Ordinance No. 2005.79 ZON-2005.21** for a Zoning Map Amendment for 19.14 net acres from GID, General Industrial District to R-4, Multi-Family Residential District

**DOCUMENT NAME:** [20060524dsd2k05.pdf](#) **PLANNED DEVELOPMENT (0406)**

#### E. Resolutions

- \*22. This is a public hearing for a resolution approving the annual assessments for the Downtown Tempe Enhanced Services Improvement District.

**DOCUMENT NAME:** [20060601cdnc01.pdf](#) **CENTRAL BUSINESS DISTRICT (0403-05) RESOLUTION NO. 2006.36**

23. Request approval of a resolution authorizing the execution and delivery of certain agreements; approving an official statement; approving the execution and delivery of Variable Rate Demand Transit Excise Tax Revenue Obligations (not to exceed \$61,000,000), Series 2006.

**DOCUMENT NAME:** [20060601fsjh01.pdf](#) **BOND SERVICE ADMINISTRATION (0203-01) RESOLUTION NO. 2006.39.**

24. Request approval of a resolution approving the Amended Memorandum of Understanding between SEIU Local 5 Public Works Non-Supervisory Employee Group and the City of Tempe (July 1, 2005 – June 30, 2007) and authorizing its execution.

**DOCUMENT NAME:** [20060601IAKJ01.pdf](#) **PUBLIC WORKS – MEET & CONFER (0303-08-03) RESOLUTION NO. 2006.38**

#### 6. **PUBLIC APPEARANCES**

According to the Arizona Open Meeting Law, the City Council may only discuss matters listed on this agenda. Matters discussed by the public during public appearances cannot be discussed by the City Council unless they are specifically listed on this agenda. There is a five-minute time limit per speaker. Speaker's visual aids or recorded tapes are not allowed.

Members of the public shall refrain from making personal, impertinent or slanderous remarks and from becoming boisterous while addressing the City Council or while attending the meeting. Unauthorized remarks from the audience, clapping, stomping of feet, yelling or any similar demonstrations are also prohibited. Violations of these rules may result in removal from the City

Council meeting.

**SCHEDULED PUBLIC APPEARANCE**

- Carol Martsch, Tempe, re: SEIU Agreement
- Kirk Erickson, Tempe, re: SEIU Agreement
- *Michael Hennessy, Tempe, re: City Sign Code*

7. **CURRENT EVENTS/COUNCIL ANNOUNCEMENTS/FUTURE AGENDA ITEMS**

The City of Tempe endeavors to make all public meetings accessible to persons with disabilities. With 48 hours advance notice, special assistance can also be provided for sight and/or hearing impaired persons at public meetings. Please call (480) 350-8241 (voice) or (480) 350-8400 (TDD) to request an accommodation to participate in the City Council meeting.

**Agendas are also available at [www.tempe.gov/clerk](http://www.tempe.gov/clerk)  
Watch live at [www.tempe.gov/tempe11](http://www.tempe.gov/tempe11)**